



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

August 5, 2004

PEARNE & GORDON LLP
1801 EAST 9TH STREET
SUITE 1200
CLEVELAND, OH 44114-3108
US

Dear Sir/Madam,

This is to deny your refund request in the amount of \$130.00, for patent/serial number 10769974.

When the filing fee is not paid until a MP letter is sent there is always a sur charge due.

Sincerely,

Eleanor Kurtz
Technical Center Others
703 305-4762
Refund Branch, Office of Finance

DIVISION

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 01 PM 12:42

Applicant: Dag Willén
Serial No.: 10/769,974
Filed: February 2, 2004
Title: "METHOD FOR CONSTRUCTING A SUPERCONDUCTING MULTIPHASE CABLE
COMPRISING N PHASES"
Docket No.: 34155US1

LETTER

Mail Stop 16
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

There appears to be an erroneous charge applied to our Deposit Account 16-0820 on May 24, 2004, in the amount of \$130.00 (Posting Ref. Txt 10769974). The charge is a surcharge for the late filing of the oath or declaration.

After a review of the file, it is believed that this charge is in error. This application was initially filed on February 2, 2004. The Declaration and Power of Attorney was filed as part of the initial filing. On May 6, 2004 we responded to a Notice to File Missing Parts. Our transmittal letter stated that the declaration was submitted to the USPTO with the initial filing of February 2, 2004.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Attn: Mail Stop 16, Director of the US Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 on the date indicated below.

Michael W. Garvey

Name of Attorney for Applicant(s)

Date


15/JUN/04

Signature of Attorney

BEST AVAILABLE COPY

Enclosed is a copy of the February 2, 2004 Utility Patent Application Transmittal showing that a one-page Oath or Declaration was being submitted. Also enclosed is a copy of our May 6, 2004 response to the missing parts notice, mailed April 30, 2004, stating that the Declaration and Power of Attorney were submitted with the application. A copy of the return postcard is also enclosed showing receipt of our response on May 10, 2004. Therefore, it is requested that a refund be issued in the amount of \$130.00, if appropriate. The refund may be applied to our Deposit Account 16-0820 Order No. 34155.

Respectfully submitted,
PEARNE & GORDON LLP

By: 
Michael W. Garvey, Reg. No. 35878

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: 15 Jun 04

2004 JUN 21 11:13:43

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 34155US1
First Inventor Dag Willén
Title METHOD FOR CONSTRUCTING..
Express Mail Label No. EV386992913

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 10]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. Oath or Declaration [Total Sheets 1]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper

c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/600,554

Prior application information: Examiner David P. Bryant Art Unit: 3726
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number: 00116 OR ☐ Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	
Name (Print/Type)	Michael W. Garvey	Registration No. (Attorney/Agent)	35878
Signature			Date February 2, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Express Mail: N/A No. 23079
Inventor: Dag Willem
Title: Method for constructing a superconducting
Serial No. 10/769,974 Patent No. _____ Date: _____
Filed: 2/2/04 Examiner: _____

Enclosed Are:
☐ PATENT APPLICATION
____ New Application Transmittal
____ Fee Transmittal (in duplicate)
____ Application Data Sheet
____ Declaration & Power Of Attorney _____ pgs.
____ Pgs. of Claims
____ Sheet(s) of Drawing(s)
____ Formal _____ Informal
____ Continuation or Division

☐ ASSIGNMENT _____ pgs.
____ Transmittal(s)
____ Original _____ Copies
☐ INFORMATION DISCLOSURE
____ PTO-1449 _____ Refs.
☒ AMENDMENT Pre. Amend. A
in Response to Paper No. _____ (6 pgs)



Priority Documents _____ listed below
Other Ltr. responding to
Not of miss pts copy
of miss pts: proof of
decl being sent w/
appl.
CHECK(S) IN THE AMOUNT(S) OF
\$ 1000.00 \$ _____
Client Code NWTR Doc. No. 341554
Int. App/mos/la 5/6/04
ACKNOWLEDGES RECEIPT OF:

2004 JUN 01 PM 12:43

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 JUN 21 17:12:43

Applicant: Dag Willen

Serial No.: 10/769,974

Filed: February 2, 2004

Title: METHOD FOR CONSTRUCTING A SUPERCONDUCTING
MULTIPHASE CABLE COMPRISING N PHASES

Docket No.: 34155US1

LETTER

Box MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts dated April 30, 2004 (copy enclosed), applicant encloses herewith the required fee of \$1,060.00 (\$770.00 basic filing fee + \$290.00 multiple dependent claim surcharge).

Applicants filed the required Declaration and Power of Attorney on February 2, 2004. A copy of the Return Receipt Postcard and Utility Patent Application Transmittal form are enclosed showing that the required Declaration was forwarded at the time the application was filed. **Therefore, the required late filing fee of \$130.00 is not required.** A copy of the Declaration and Power of Attorney is enclosed for your reference.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Michael W. Garvey

Name of Attorney for Applicant(s)

May 6, 2004

Date

Signature of Attorney

BEST AVAILABLE COPY

If there are any further fees resulting from this communication not covered by the enclosed check, or if no check was enclosed, please charge the same to Deposit Account No. 16-0820, Order No. 34155US1.

301 JUN 01 11 13 AM '03

Respectfully submitted,
PEARNE & GORDON LLP

By:


Michael W. Garvey, Reg. No. 35878

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: May 6, 2004

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FOR UTILITY/DESIGN
CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS

RULE 63 (37 C.F.R. 1.53)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PM & S
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED A method for constructing a superconducting multiphase cable comprising N Phases,
the specification of which (CHECK applicable BOX(ES))

X ☐ is attached hereto.
BOX(ES) → ☐ B. ☐ was filed on _____ as U.S. Application No. _____
→ ☒ C. ☒ was filed as PCT International Application No. PCT/DK99/100645 on 22 November 1999
and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)

Number	Country	Date first Filed	Date first Published	Date Patented or Granted	Priority NOT Claimed
--------	---------	------------------	----------------------	--------------------------	----------------------

01533/98	Denmark	22 November 1998			
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If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT International applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

Application No. (series code/serial no.)	Date/MONTH/Year Filed	Status	Priority NOT Claimed
--	-----------------------	--------	----------------------

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Madison & Sutro LLP, Intellectual Property Group, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or a below attorney in writing to the contrary.

Paul N. Kokulis	16773	Dale S. Lazar	28872	Mark G. Paulson	30793	Michael R. Dzwonczyk	36787
Raymond F. Lippitt	17519	Paul E. White, Jr.	32011	Stephen C. Glazier	31361	W. Patrick Bengtsson	32456
G. Lloyd Knight	17698	Glenn J. Perry	28458	Paul F. McQuade	31542	Jack S. Barufka	37087
Carl G. Love	18781	Kendraw H. Colton	30368	Ruth N. Morduch	31044	Adam R. Heas	41835
Kevin E. Joyce	20508	G. Paul Edgell	24238	Richard H. Zeitlen	27248		
George M. Sirilla	18221	Lynn E. Eccleston	35861	Roger R. Wise	31204		
Donald J. Bird	25323	Timothy J. Klima	34852	Jay M. Finkelstein	21082		
Peter W. Gowday	25872	David A. Jakopin	32995	Anita M. Kirkpatrick	32617		

(1) INVENTOR'S SIGNATURE: X W. J. A. - 9000

Date: XX. 12. 99

First Name	Dag	Middle Initial		Family Name	Willeh
Residence	8A Søndergårdsvej				
City	Søborg	State/Foreign Country	Denmark	Country of Citizenship	Denmark
Post Office Address	8A Søndergårdsvej, DK-2869 Søborg, Denmark				
(Include Zip Code)					

(2) INVENTOR'S SIGNATURE:

Date:

First Name		Middle Initial		Family Name	
Residence					
City		State/Foreign Country		Country of Citizenship	
Post Office Address					
(Include Zip Code)					

FOR ADDITIONAL INVENTORS, "X" box ☐ and proceed on the attached page to list each additional inventor.
☐ See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. PM

(M#)

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